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Terminal
Disclaimer
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Atty. Docket No.: 2734-CIP-Z

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
Francis C. Carroll
Serial No. 09/027,867
Filed: February 23, 1998
For: SPORTS SHOE CLEATS



Group Art Unit 3728
Examiner Marie Patterson

TERMINAL DISCLAIMER

Hon. Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

5794367
The owner, Green Keepers, Inc., of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173, as presently shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second application Serial No. 08/802,908, filed February 20, 1997. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 or any extension thereof of

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the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term or any extension thereof, as presently shortened by any terminal disclaimer.

For submissions on behalf of any corporation (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

The assignment with regard to the present application Serial No. 09/027,867 and application Serial No. 08/802,908 was recorded in the U.S. Patent and Trademark Office as follows: July 17, 1998, Reel/Frame: 9337/0080 (3 pages).

The evidentiary documents of title have been reviewed and that to the best of the assignee's knowledge and belief, title is in the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

It is requested that the statutory fee (37 CFR 1.20(d) in the amount of \$55.00 (small entity) be charged to Deposit Account No. 26-0090. An additional copy of this paper is submitted herewith. The Commissioner is authorized to charge any additional fees (or any credit any overpayment) which may be required to Deposit Account No. 26-0090.

Respectfully submitted,



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Date: April 13, 1999

In the event this paper is deemed not timely filed, the applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 26-0090 along with any other additional fees which may be required with respect to this paper.